

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 334 OF 2020

Mr. Bhushan @ Sunny Sanjay Ingawale. ..Applicant.

v/s.

The State of Maharashtra. ..Respondent.

Ms. Tamanna Irfan Shaikh, advocate for applicant.

Ms. P.P. Shinde, APP for State.

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CORAM : SMT. SADHANA S. JADHAV,J.

DATE : JULY 3, 2020.

P. C. :

1 Heard the learned Counsel for the applicant and learned APP for State.

2 This is an application under section 439 of the Code of Criminal Procedure, 1973. The applicant is arrested on 29/10/2019 in Crime No. 458 of 2019 registered at Malad Police Station for offence punishable under section 363, 376, 366, 354, 509, 342, 324, 323, 506(II), 504 read with section 34 of the Indian Penal Code and under section 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. The investigation is completed and charge-sheet is filed.

3 The complainant happens to be the mother of the
Talwalkar/pmw

victim. It is the case of the prosecution that the victim was acquainted with one John Joseph. It is alleged that on 28/10/2019 John had forcefully taken the victim on his motor cycle. At that time, the friend of the victim was accompanying her. The friend informed the complainant about the same.

4 It is alleged that there was a love affair between John and the victim since 2 years. The applicant happens to be a friend of John. The victim had visited the house of the applicant on several occasions alongwith John. The victim had also met wife of the applicant. The main allegation against the applicant is that he had allowed his friend to visit his house alongwith the victim. On the unfateful day also, after she accompanied the co-accused on his motorcycle, she had visited the house of the applicant and that he had no reason to suspect that the victim has either been abducted or forced to accompany the co-accused John.

5 There is no specific allegation against the applicant as far as molestation or taking dis-advantage of the situation is concerned. That the victim has also not levelled any specific allegations against the applicant.

6 In view of this, the applicant deserves to be enlarged

on bail. Hence, following order :

ORDER

- (i) The application is allowed.
 - (ii) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 20,000/- with one or more sureties in the like amount.
 - (iii) The applicant be enlarged on provisional cash bail of Rs. 20,000/- for a period of 8 weeks, during which, he shall furnish sureties.
- 7 The application is disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]